

Remarks

Applicant respectfully requests reconsideration of this application as amended. The specification has been amended. No claims have been amended, cancelled, or added. Therefore, claims 1-9 and 24-30 are presented for examination.

35 U.S.C. §112 Rejection

Claims 1, 24 and 28 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

More specifically, the Office Action asserts that the applicant added a limitation to a protection layer that has no support in the specification. The Office Action states “[t]he claims are drawn to embodiments described in figs. 1-7. However, the specification does not set forth any protection layer in relation to these first two embodiments – only in relation to the third embodiment of figs. 13-19, that are directed to the non-damascene wiring layer.” (Final Office Action mailed 8/30/05 at pg. 2.)

Firstly, the Office Action asserts that the embodiments of figures 13-19 are directed to a “non-damascene wiring layer”. Applicant assumes that the term “non-damascene” is referring to a non-etched or non-inlaid silver interconnect structure. Applicant respectfully asserts that nowhere in the present application are the embodiments relating to figures 13-19 referenced or referred to as a “non-damascene wiring layers”. Applicant has not limited these embodiments to that particular description.

Secondly, applicant submits that the protection layer feature added to claims 1, 24, and 28 does have support in the specification. Although, the description of the

Docket No. 42P13296D
Application No. 10/648,950

Application

protection layer was described in relation to figures 8-19 of the present application, the application does state:

In the foregoing specification, the invention has been described with reference to specific exemplary embodiments thereof. It will be evident that various modifications may be made thereto without departing from the broader spirit and scope of the invention as set forth in the following claims. The specification and drawings are, accordingly, to be regarded in an illustrative sense rather than a restrictive sense.

Specification at page 17, paragraph [0049] (emphasis added).

Referring to page 15, paragraph [0042], line 2, of the present application, it is disclosed that a protection layer is formed *to prevent a silver layer from diffusing into other materials*. Claim 1 also provides that the protection layer is provided to prevent a silver layer from diffusing into other materials. Accordingly, applying a protection layer over the silver layer of figures 1-7 serves the purpose of preventing silver layer 110 from diffusing into other materials (such as the conductive layer 156), similar to preventing silver layer 206 from diffusing into other materials (such as dielectric layer 214).

As it was provided in the present application that the particular embodiments of the invention may have modifications made thereto and that the specification and drawings are to be regarded in an illustrative rather than restrictive sense, it follows that applying a protection layer overlying the silver layer 110 provided with respect to figures 1-7 would be supported claim subject matter for the present application. The feature of protection layer should not be solely limited to the specific embodiment provided by figures 8-19, as this was not contemplated by language of the present application. Therefore, applicant respectfully submits that the claims of the present application are allowable.

Specification

The specification is objected to because in Figure 7, numeral 156 is not described in the specification. The specification has been amended to correct this omission.

The specification is objected to because at page 15, paragraph [0042], line 4, the words "protection layer 214" should refer to numeral 212. The specification has been amended to correct this error.

The specification is objected to because at page 15, paragraph [0042], line 5, the words "protection layer 214" should refer to numeral 212. The specification has been amended to correct this error.

Therefore, applicant respectfully requests that the objections to the specification be withdrawn.

Drawings

The drawings are objected to as failing to comply with 37 CFR §1.84(p)(5) because they include the following reference character(s) not mentioned in the description: layer 156, fig. 7. The specification has been amended to refer to this reference character. Therefore, applicant respectfully requests that the objections to the drawings be withdrawn.

Applicant respectfully submits that the rejections have been overcome and that the claims are in condition for allowance. Accordingly, applicant respectfully requests the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

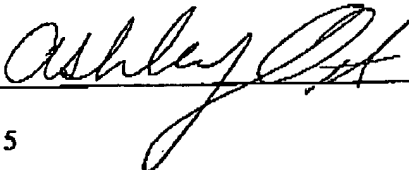
Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: October 27, 2005



Ashley R. Ott
Reg. No. 55,515

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1026
(303) 740-1980